

DENTISTRY EXAMINING BOARD
REGULAR MEETING
JANUARY 9, 2002

MEMBERS PRESENT: Bruce Barrette, DDS; David Carroll, RDH; Mark Curran, DDS; Judith Ficks; Wilbur Gill, DDS; Nanette Kosydar Dreves, RDH; Cynthia Riffle, DDS; Cathy Schleis, RDH; Art Srb; Richard Strand, DDS; Bruce Trimble, DDS

LEGAL COUNSEL: Jacquelynn Rothstein

STAFF PRESENT: Deanna Zychowski, Karen Rude-Evans

GUESTS: Keith Clemence, DDS; Karen Jahimiak, DDS; Mara Brooks, Jim Springborn and Dennis McGuire, WDA; Paul Bollinger, Children's Health Alliance of WI; Jim Tenuta, WDHA; Nancy McKenny, DHFS/DPH

CALL TO ORDER

Chair Bruce Barrette called the meeting to order at 8:34 a.m. and welcomed new Board appointees Keith Clemence, DDS, and Karen Jahimiak, DDS. The new appointees have not yet been confirmed by the Senate.

PLEDGE OF ALLEGIANCE

The Board members, staff and guests stood and recited the Pledge of Allegiance.

APPROVAL OF AGENDA

Amendments: -Letter of Commendation to Patrick Braatz
-Nomination of hygiene examiner
-Proposed stipulation – William C. Beaupre, DDS – Manitowoc – case advisor – David Carroll
-Proposed administrative warning – George E. Rooney, DDS
-Letter from WDHA relating to upcoming survey
-Correspondence from General Counsel William Dusso relating to expenses for Board members

ELECTION OF OFFICERS

MOTION: Mark Curran moved, seconded by Richard Strand, to nominate Bruce Barrette for Chair.

The Chair called for nominations three times. No further nominations were made and the vote was called.

MOTION: Mark Curran moved, seconded by Richard Strand, to elect Bruce Barrette as Chair. Bruce Barrette abstained. Motion carried.

MOTION: Mark Curran moved, seconded by Judith Ficks, to nominate Richard Strand for Vice Chair.

The Chair called for nominations three times. No further nominations were made and the vote was called.

MOTION: Mark Curran moved, seconded by Judith Ficks, to elect Richard Strand as Vice Chair. Richard Strand abstained. Motion carried.

MOTION: Cynthia Riffle moved, seconded by Cathy Schleis, to nominate Nanette Kosydar Dreves for Secretary.

The Chair called for nominations three times. No further nominations were made and the vote was called.

MOTION: Cynthia Riffle moved, seconded by Cathy Schleis, to elect Nanette Kosydar Dreves as Secretary. Nanette Kosydar Dreves abstained. Motion carried.

SECRETARY OSCAR HERRERA- DISCUSSION OF REORGANIZATION

Secretary Oscar Herrera spoke to the Board about the proposed reorganization of DRL. The Board was very concerned that they, and the other Boards, have not been given an opportunity to review and comment on the proposed reorganization. Secretary Herrera tried to reassure the members that nothing has been taken away from the Boards and their roles of licensing and regulation their professions.

ORAL ARGUMENTS IN THE MATTER CONCERNING LEE KRAHENBUHL, DDS

DOE attorney Jim Polewski and attorney Ray Roder presented oral arguments in the matter concerning Lee Krahenbuhl, DDS. This matter will be deliberated on in closed session.

PRESENTATION OF PROPOSED STIPULATIONS

BLAIR D MOLDENHAUER, DMD

DOE attorney Jim Harris presented a proposed stipulation in the matter concerning Blair D. Moldenhauer, DMD. This matter will be deliberated on in closed session.

WILLIAM C BEAUPRE, DDS

DOE attorney Jim Harris presented a proposed stipulation in the matter concerning William C. Beaupre, DDS. This matter will be deliberated on in closed session.

REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

These reports were informational.

2002 AADE MID-YEAR MEETING AND FORUM ON EXAMINATIONS

The Board reviewed correspondence from AADE relating the 2002 Mid-Year Meeting and Forum on Examinations to be held March 17-18 in Chicago.

MOTION: Wilbur Gill moved, seconded by Mark Curran, to have the State participate in AADE at a level that would facilitate all Board members being able to fully participate in AADE programs and functions. Motion carried unanimously.

LETTER REGARDING REGULATION AND LICENSING REORGANIZATION

The Board discussed the letter from Bruce Barrette regarding the reorganization of DRL. The Board has a number of concerns with the reorganization, including the lack of Board input, the affect on credential holders and the public, and the timely prosecution of complaints.

MOTION: Mark Curran moved, seconded by Bruce Trimble, to reaffirm the Board's authority to regulate the profession and the licensing of applicants, and to correspond with Secretary Herrera that before the reorganization plan is finalized there should be a group meeting in Madison between the Board chairs and representatives of each Board with the Secretary in order to discuss the proposed reorganization plan. The correspondence is to be copied to all health boards, Senator Moen and Representative Underheim. Motion carried unanimously.

MOTION: Mark Curran moved, seconded by David Carroll, to have the Board Chair, Vice Chair and Secretary represent the Board at the group meeting with Secretary Herrera. Motion carried unanimously.

LETTER OF COMMENDATION FOR PATRICK BRAATZ

Richard Strand presented to the Board a letter of recommendation in honor of Patrick Braatz.

MOTION: Judith Ficks moved, seconded by Cathy Schleis, to approve and have all Board members sign the letter of recommendation for Patrick Braatz. Motion carried unanimously.

NOMINATION OF HYGIENE EXAMINER

MOTION: Richard Strand moved, seconded by Mark Curran, to approve and accept Michelle Hilts, RDH, as a deputy examiner for dental hygiene. Motion carried unanimously.

CRDTS UPDATE

Cynthia Riffle and Richard Strand updated the Board on CRDTS. There will be a new prosthetics exam this year, with both a removable and fixed component. Dental hygiene will have its own examination review committee, pending approval at the March meeting.

REGULATORY DIGEST

The *Regulatory Digest* is still a work in progress.

PERMISSION TO SPEAK AT THE WDA MEETING

MOTION: Wilbur Gill moved, seconded by Nanette Kosydar Dreves, to approve Bruce Barrette and Richard strand to speak at the WDA meeting on January 12, 2002, in Kohler, WI, and to have DRL reimburse expenses. Motion carried unanimously.

RECESS TO CLOSED SESSION

MOTION: Wilbur Gill moved, seconded by David Carroll, to allow Keith Clemence and Karen Jahimiak to sit in on closed session, however they are not allowed to participate in deliberations or vote. Motion carried unanimously.

MOTION: Judith Ficks moved, seconded by Cynthia Riffle, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f), and (g), Wis. Stats., for the purpose of a personal appearance to request a stay of suspension, considering requests for stays of suspensions and modifications of orders, reviewing a board order, deliberation of proposed stipulations, reviewing applications, reviewing case status report, considering an administrative warning, meeting with the Division of Enforcement and consulting with legal counsel. Roll call vote: Bruce Barrette – yes, David Carroll – yes, Mark Curran – yes, Judith Ficks – yes, Wilbur Gill – yes, Nanette Kosydar Dreves – yes, Cynthia Riffle – yes, Cathy Schleis – yes, Art Srb – yes, Richard Strand – yes, Bruce Trimble - yes. Motion carried unanimously.

Open session recessed at 11:50 a.m.

RECONVENE IN OPEN SESSION

MOTION: Judith Ficks moved, seconded by Bruce Trimble, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 2:50 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

PERSONAL APPEARANCE/DELIBERATION OF PROPOSED STIPULATION

BLAIR D MOLDENHAUER, DMD

The case advisor, Judith Ficks, was absent during deliberation and abstained from voting.

MOTION: Wilbur Gill moved, seconded by Nanette Kosydar Dreves, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning Blair D. Moldenhauer, DMD. Motion carried.

MOTION: Mark Curran moved, seconded by David Carroll, to grant a two-month stay of suspension to Blair D. Moldenhauer, DMD. Dr. Moldenhauer must submit the name of his mentor to the Board, and the mentor must have a minimum of five years of practice with no discipline. Dr. Carl Moldenhauer must mentor Dr. Blair Moldenhauer until the new mentor is approved. Nanette Kosydar Dreves – no. Motion carried.

REVIEW OF BOARD ORDER

JAMES R LANDREMAN, DDS

MOTION: Wilbur Gill moved, seconded by Richard Strand, to have the physician of James R. Landreman, DDS, supply information regarding Dr. Landreman's diagnosis, the prescription and the prescriber's name. Motion carried unanimously.

REQUESTS FOR STAYS OF SUSPENSIONS/CHANGES IN BOARD ORDERS

JAMES MARKENSON, DDS

MOTION: Mark Curran moved, seconded by David Carroll, to grant a three-month stay of suspension to James Markenson, DDS. Motion carried unanimously.

VALI KIAIE, DDS

MOTION: Mark Curran moved, seconded by Richard Strand, to deny the request for reinstatement of an unlimited license to Vali Kiaie, DDS. Motion carried unanimously.

PROPOSED DECISION

LEE KRAHENBUHL, DDS

Case advisor Richard Strand was absent for deliberation and abstained from voting.

MOTION: Judith Ficks moved, seconded by Nanette Kosydar Dreves, to table the decision on the proposed decision in the matter concerning Lee Krahenbuhl, DDS, to the next meeting. Motion carried.

PROPOSED STIPULATION

WILLIAM C BEAUPRE, DDS

MOTION: Nanette Kosydar Dreves moved, seconded by Judith Ficks, to adopt the Findings of Fact, Conclusions of Law and Order in the matter concerning William C. Beaupre, DDS. Case advisor David Carroll abstained. Motion carried.

APPLICATION REVIEWS

KENNETH BINKLEY, DDS

MOTION: Nanette Kosydar Dreves moved, seconded by Cynthia Riffle, to approve the application of Kenneth Binkley, DDS, and accept the Illinois exam as equivalent. Motion carried unanimously.

JOHN S. MAJOR, DDS

MOTION: Richard Strand moved, seconded by Judith Ficks, to deny the application of John S. Major, DDS. Motion carried unanimously.

JACK BURROUGHS, DDS

MOTION: Cynthia Riffle moved, seconded by Cathy Schleis, to deny the application of Jack Burroughs, DDS. Motion carried unanimously.

ADMINISTRATIVE WARNING

GEORGE E ROONEY, DDS

MOTION: Wilbur Gill moved, seconded by Cynthia Riffle, to issue an administrative warning in the matter concerning George E. Rooney, DDS. Motion carried unanimously.

CASE STATUS REPORT

MOTION: Mark Curran moved, seconded by Richard Strand, to close complaint **01 DEN 061** for no violation. Case advisor Nanette Kosydar Dreves abstained. Motion carried.

MOTION: Richard Strand moved, seconded by David Carroll, to close complaint **01 DEN 037** for insufficient evidence. Case advisor Mark Curran abstained. Motion carried.

MOTION: Mark Curran moved, seconded by Wilbur Gill, to close complaint **01 DEN 062** for prosecutorial discretion. Case advisor Nanette Kosydar Dreves abstained. Motion carried.

MOTION: Judith Ficks moved, seconded by David Carroll, to close complaint **01 DEN 045** for no violation. Case advisor Nanette Kosydar Dreves abstained. Motion carried.

Complaints **01 DEN 115** and **00 DEN 116** remained open.

INFORMATIONAL ITEMS

The Board noted the informational items.

ADJOURNMENT

MOTION: Judith Ficks moved, seconded by Cathy Schleis, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:02 p.m.

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